

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

AVKO Educational Research Foundation, Inc.,
et.al.,

Plaintiffs and Counter-Defendants ,

v.

Thomas A. Morrow, et. al.,

Defendants and Counter-Plaintiffs.

Case no: 1:11-CV-13381-TLL-CEB

Hon. Thomas L. Ludington

Mag. Charles E. Binder

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**PLAINTIFFS' REPLY TO DEFENDANTS' OBJECTIONS (ECF 63) TO
ENTRY OF ORDER
DENYING DEFENDANTS MOTION TO ENTER DEFAULT
CERTIFICATE OF SERVICE**

Defendants' objections to the entry of the order are in the nature of a fourth motion for default. The court heard the argument and denied the request. A copy of the transcript will reveal the holding of the Court. Further, entry of default is not mandatory. Plaintiffs will not burden the Court with a brief setting forth the standards for setting aside a default but merely note that Fed. R. Civ. Proc. 1 indicate that the rules "should be construed to secure the just, speedy, and inexpensive determination of every action and proceeding." "Just"

determination implies a decision based on the merits as opposed to mere technicalities. The order is proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Susan Payne Woodrow certifies that she served the below interested parties by electronic filing with the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record set forth below:

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